

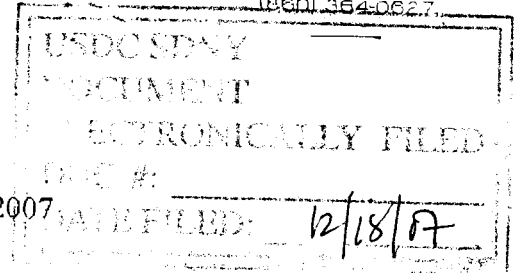
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December 13, 2007

Via Facsimile

The Honorable William H. Pauley III
United States Courthouse
Southern District of New York
500 Pearl Street, Room 2210
New York, New York 10007

Re: *Cruise et al. v. Doyle et al.*
07-cv-3940 (Pauley, J.)(Pitman, M.J.)
Our File No. 4422.001

Dear Judge Pauley:

The Defendant Association of Commuter Rail Employees, Local Division 9 ("ACRE"), with the consent of Defendant MTA Metro-North Railroad ("Metro-North") respectfully submit this joint letter request for permission to submit a Reply Memorandum in excess of the ten (10) page limit set forth in Your Honor's Individual Practice Rules.

Defendants ACRE and Metro-North are preparing a Joint Reply Memorandum in Support of their Joint Motion to Dismiss for submission on Monday, December 17, 2007 (pursuant to the Court's November 26, 2007 Order). Since defendants Reply is a joint submission on behalf of defendants ACRE and Metro-North, the defendants jointly request the Court's permission to exceed the ten (10) page limit set forth in Your Honor's Individual Practices. Defendants estimate that a joint Reply will not exceed fifteen (15) pages.

Accordingly, Defendants ACRE and Metro-North jointly and respectfully request the Court's permission to submit a Reply Memorandum of Law not to exceed fifteen (15) pages on Monday, December 17, 2007.

application granted
SO ORDERED:

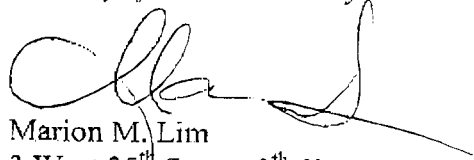
William H. Pauley III
WILLIAM H. PAULEY III U.S.D.J.
12/14/2007

The Honorable William H. Pauley III
December 13, 2007
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Thank you for your courtesy in this matter.

Respectfully submitted,

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cc: Ira Cure, Esq. (via facsimile)
Frank Rinaldi, Esq. (via facsimile)
Michael F. Doyle (via facsimile)